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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/789,408         | 02/26/2004             | Kiyoshi Miyazaki      | 52012/DBP/A400         |

23363  
 CHRISTIE, PARKER & HALE, LLP  
 350 WEST COLORADO BOULEVARD  
 SUITE 500  
 PASADENA, CA 91105



CONFIRMATION NO. 6124  
 FORMALITIES LETTER



\*OC000000012731594\*

Date Mailed: 05/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 MAHMED1 00000093 10789408

FILED UNDER 37 CFR 1.53(b)

01 FC:1003 530.00 OP  
 02 FC:1051 130.00 OP

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

07/23/2004 MAHMED1 00000049 031728 10789408

01 FC:1051 240.00 DA 130.00 OP 530.00 OP

Adjustment date: 07/26/2004 TTRAN2  
 07/23/2004 MAHMED1 00000049 031728 10789408

01 FC:1051 -130.00 OP  
 02 FC:1001 240.00 CR -530.00 OP

*A copy of this notice **MUST** be returned with the reply.*

## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

**Application No. 10/789,408**

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the **pendency** of this application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By D. Bruce Prout  
D. Bruce Prout  
Reg. No. 20,958  
626/795-9900

DBP/aam  
Enclosures: As listed

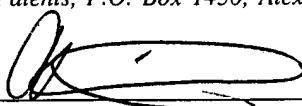
AAM PAS575148.1-\* 07/19/04 1:43 PM



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2004.*

  
Alex Martinez

Applicant : Kiyoshi Miyazaki, et al.  
Application No. : 10/789,408  
Filed : February 26, 2004  
Title : PETUNIA PLANT NAMED 'SUNROVEIN'  
  
Grp./Div. : 1661  
Examiner : N/A  
  
Docket No. : 52012/DBP/A400

**LETTER IN RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
July 19, 2004

Commissioner:

In response to the Notice to File Missing Parts of Application dated May 20, 2004, enclosed are:

1. Copy of Notice to File Missing Parts of Application.
2. Check for \$530.00, including the filing fee and a surcharge check for \$130.00.
3. Executed Declaration and Power of Attorney.
4. Request to Correct Filing Receipt.
5. A Supplemental Information Disclosure with Form PTO/SB/08A/B and cited references.